



ADVOCATES FOR THE ARTS

*American Symphony
Orchestra League*

*Association of Performing
Arts Presenters*

Dance/USA

*National Alliance of
Musical Theatre*

OPERA America

*Theatre Communications
Group*

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July 30, 2007

VIA ELECTRONIC FILING

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: Ex Parte Comments of the American Arts Alliance:
American Symphony Orchestra League, Association of Performing Arts
Presenters, Dance/USA, National Alliance for Musical Theatre, OPERA
America, Theatre Communications Group**

**Unlicensed Devices in the "White Spaces"
ET Docket No. 04-186**

Dear Mr. Chairman:

On behalf of the members of the American Arts Alliance, we are writing to express our grave concern about the potential negative impact that the introduction of new wireless devices in radio frequencies currently used for wireless microphone and related audio equipment will have on our communities, performers, and audiences.

The American Arts Alliance is a national network of more than 4,000 members comprising the professional, nonprofit performing arts and presenting fields. For 30 years, the American Arts Alliance has been the premiere advocate for America's professional nonprofit arts organizations, artists and their publics before the US Congress and key policy makers. Through legislative and grassroots action, the American Arts Alliance advocates for national policies that recognize, enhance and foster the contributions the performing arts make to America. Our member organizations include American Symphony Orchestra League, Association of Performing Arts Presenters, Dance/USA, National Alliance for Musical Theatre, OPERA America, and Theatre Communications Group.

Professional wireless sound equipment is used to provide high-quality audio to the audiences, and to record and present these artistic performances to people all over the world through broadcast on television, cable, satellite or over the Internet. Wireless microphones and related wireless audio equipment are used extensively and play a critical role in the production of dance, music, opera, orchestra, and theatre performances. Such productions and their recordings provide an infinite opportunity to expand the audience and availability of these performances to individuals who are unable to attend live performances.

Wireless microphones and equipment are utilized to facilitate communication between backstage staff members and performers. Directors, managers, crew members and many others rely upon such equipment to communicate performance and lighting cues, staging movement and other vital directions. Wireless microphones are also used in conjunction with infra-red technology to provide listening systems for hearing impaired performing arts patrons. Without these microphones, the infra-red system would pick up music only, not dialogue or lyrics. There is no practical or feasible alternative to the current wireless audio systems used by performance arts organizations. It would be virtually impossible for the performing arts to migrate to a wired audio system if wireless audio equipment begins to suffer from severe interference with the introduction of new unlicensed devices. The use of wired audio equipment would not only be impractical, but would create an unsafe and dangerous work area for performers and staff. Wireless microphones and audio equipment provide the freedom to move safely and quickly through the stage environment while providing high-quality and reliable audio transmissions.

We strongly urge the Commission to ensure that the use of wireless microphones and wireless audio equipment remains unencumbered and interference-free. In particular, we ask that the Commission not permit new portable devices in this spectrum unless and until it is tested and verified that they will not disrupt existing wireless equipment. We further request that the Commission designate certain "clean" spectrum that can be used by these audio systems without the threat of interference from the new devices and to adopt appropriate protections. Without the high-quality and interference-free operation of wireless microphones, the audio quality of performing arts performances and recordings would be greatly diminished, impairing thousands of productions and reducing the availability and opportunity for millions of Americans to enjoy this art form.

The American Arts Alliance respectfully asks the Commission to ensure that any new radio devices will not disrupt dance, music, opera, orchestra, and theatre performances enjoyed by millions of Americans. Absent tested and proven interference protection measures, especially the operation of personal/portable devices within a performance space, could wreak havoc with wireless microphone systems and audio equipment. Not only would this disrupt the audience's enjoyment of the performance and impair the recording and broadcast of the performance, but it would also hinder the ability of stage crews to communicate effectively and the artists to perform safely. The FCC should not authorize personal/portable devices at this time, should identify "clean" spectrum free of potential interference, and it should carefully conduct testing to verify that new devices will not harm the wireless microphone and audio equipment that is essential to bringing performances to millions.

Sincerely,



Abel Lopez, Chair
American Arts Alliance



Kathy Evans, Executive Director
National Alliance for Musical Theatre



Henry Fogel, President and CEO
American Symphony Orchestra League



Marc Scorca, President and CEO
OPERA America



Sandra Gibson, President and CEO
Association of Performing Arts Presenters



Teresa Eyring, Executive Director
Theatre Communications Group



Andrea Snyder, Executive Director
Dance/USA